

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action of May 29, 2008, in which the Examiner (1) rejected claims 1-3 and 5-22 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, (2) rejected claim 22 under 35 U.S.C. 102(e) as being anticipated by U.S. PG PUB 2005/0039163 ("**Barrett**"), (3) rejected claims 1-16 and 20-21 under 35 U.S.C. 103(a) as being unpatentable over **Barrett** in view of U.S. Patent No. 6,519,763 ("**Kaufer**") and (4) rejected claims 17-19 under 35 U.S.C. 103(a) as being unpatentable over **Barrett** in view of **Kaufer** and further in view of U.S. PG PUB No. 2005/0015675 ("**Kolawa**").

By the present Amendment, independent claims 1, 4, 5 and 22 have been amended. Claims 3 and 15 have been cancelled and the subject matter thereof now incorporated into their respective parent claims 1 and 5 (independent claim 4 has been amended to now recite subject matter similar to that added to claims 1 and 5). Claim 22 has been amended to correct an obvious typographical error.

#### **Rejection of claims 1-3 and 5-22 under 35 U.S.C. §112**

The Examiner's rejection of the claims 1-3 and 5-22 under 35 U.S.C. §112 has been overcome by the deletion of the phrase "using an already selected development methodology" in claim 1, and the deletion of similar phrases in claims 5 and 22.

#### **Rejection of claim 22 under 35 U.S.C. §102**

Applicant respectfully traverses the rejection of claim 22 as anticipated by **Barrett**.

A claim may be properly rejected as anticipated under 35 U.S.C. §102 only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicants respectfully submit that **Barrett** does not disclose several elements recited in the claim 22.

**Barrett** discloses a method for managing a project by displaying Gantt charts that illustrate project items as bars and alerting the user when one or more project items are critical or have a warning condition (Abstract). The user may drill down to illustrated tasks within a phase or to illustrate resources assigned to a selected task (Figs. 8a, 8B, and 9; paragraphs 0074, 0075 and 0076).

Applicants respectfully submit that **Barrett** fails to disclose at least the following elements recited in claim 22:

"A method for managing a development project *using an Extreme Programming (XP) process*"; and  
"*adjusting either the planned work or the planned resources* or both, so that *the impact of the adjustment can be observed* the first graph displayed at the GUI."

The Examiner appears to believe that **Barrett** discloses Extreme Programming (XP), citing paragraph 0014. There is no such disclosure. While paragraph 0035 refers to the "Windows XP" operating system (Windows eXPerience), there is no disclosure anywhere in **Barrett** of using Extreme Programming in the management of a development project.

The Examiner cites paragraphs 0056 and 0076 of **Barrett** (see Page 5 of the Examiner's Remarks) as disclosing adjusting work or resources so that the adjustment can be observed at the GUI. However, paragraph 0056 merely refers to resource data being entered and later accessed in database 23 (see paragraph 0056, lines 10-20). Paragraph 0076 merely refers to drilling down at one chart to show additional information associated with a particular chart (see paragraph 0075, lines 2-3; paragraph 0076, lines 6-10). Nowhere in these paragraphs or elsewhere is there any disclosure of adjusting or otherwise changing data pertaining to work or resources so that the impact of the adjustment can be observed at a GUI.

### **Rejection of claims 1-21 under 35 U.S.C. §103**

Applicants respectfully traverse the rejection of these claims under 35 U.S.C. §103. Independent claims 1, 4 and 5 all recite limitations not shown in **Barrett**, **Kaufer** or **Kolawa**, either alone or as combined.

For example, claim 1 (as amended) recites, among other things:

"a third window for displaying data underlying the graphs displayed in the first and second windows, wherein the underlying data in the third window may be displayed for modification, so that as the underlying data is modified, corresponding modifications are made to the graphs in the first and second windows."

The Examiner states on page 8 of the Remarks (in connecting with this limitation as originally recited in claim 3) that **Kaufer** discloses this limitation at col. 9, lines 40-60 and col. 14, lines 15-35. These cited lines of **Kaufer** merely disclose a screen (seen in Fig. 3) that breaks down tasks (col. 9, line 45) and permits display of confidence level data for predicted completion dates. The prediction is done in accordance with an established prediction algorithm (col. 17, line 45 - col. 18, line 41). Nowhere in **Kaufer** is there disclosure of three windows with graphs, with the third window displaying underlying data that is modified in order to correspondingly modify total work and total resources displayed in the first window (development) and the second window (testing), as recited in claim 1.

At least for this reason, claim 1 (as well as independent claims 4 and 5, which recite similar limitations) is believed allowable over **Barrett** and **Kaufer**. **Kolawa**, the remaining applied reference, likewise does not show the above-referenced limitation missing from **Barrett** and **Kaufer**.

Dependent claims 2, 6-14 and 16-21 all recite features in addition to those of their respective parent claims, and are each believed allowable for at least the same reasons as stated above.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/721,812  
Amdt. dated August 28, 2008  
Reply to Office Action of May 29, 2008

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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